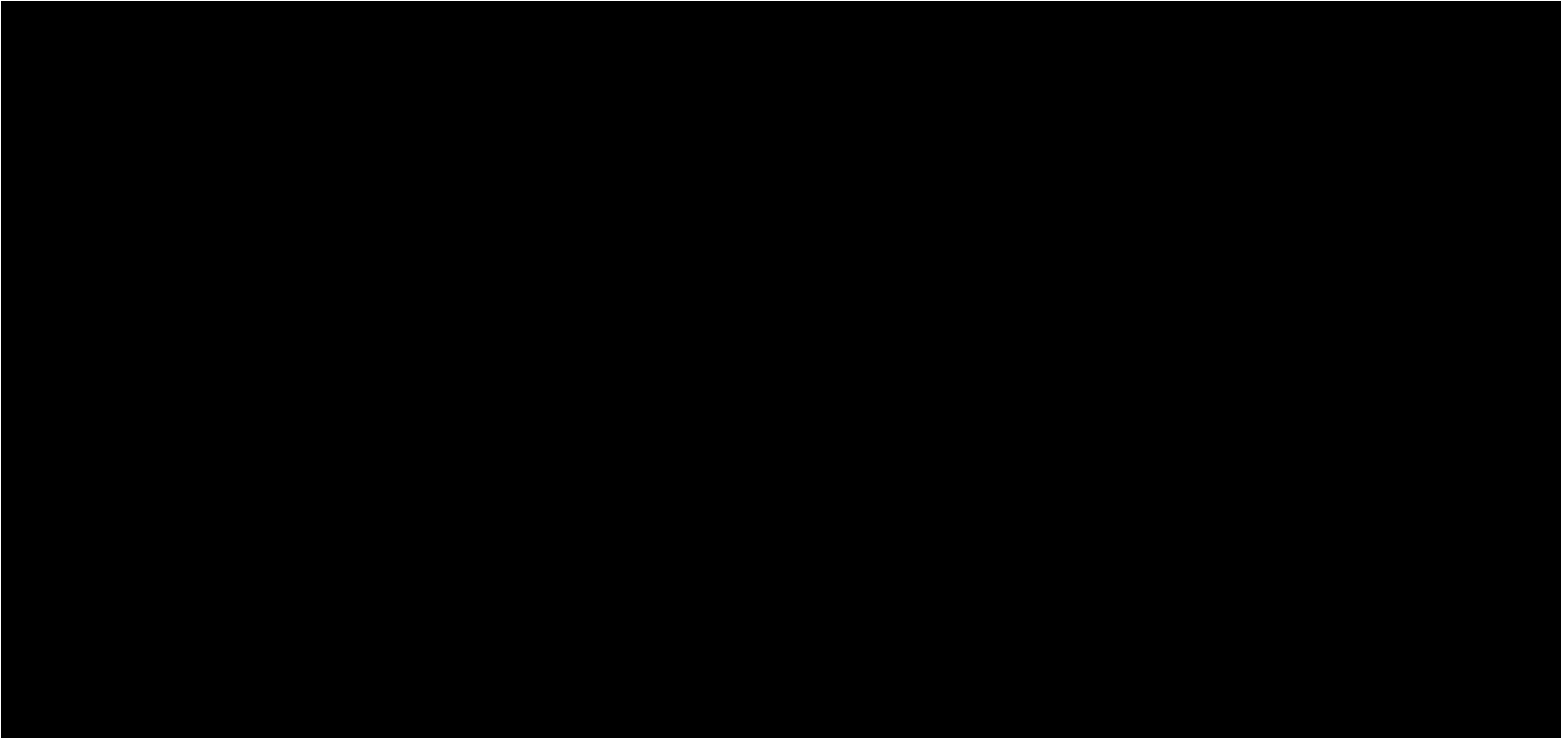


Exhibit D



From: Paul Farrell <paul@farrell.law>
Date: April 29, 2020 at 2:05:18 PM PDT
To: "Spiegel, John" <John.Spiegel@mto.com>
Cc: Joe Rice <jrice@motleyrice.com>, Paul Hanly <phanly@simmonsfirm.com>
Subject: RE: Huntington-Cabell County - Plaintiffs' Request for Deposition of John Hammergren

John,

Need to reach some resolution. Seems like we have three options:

- (a) Agree to produce Mr. Hammergren for deposition;
- (b) Agree to produce Mr. Hammergren at the WV trial; and
- (c) Agree to disagree and seek judicial intervention.

Hope all is well and you are staying safe.

Paul T. Farrell, Jr., Esq.

FARRELL LAW

P.O. Box 1180

Huntington, WV 25714-1180

422 Ninth Street, 3rd Floor

Huntington, West Virginia 25701

phone: 304.654.8281

email: paul@farrell.law

"Facts are stubborn things."

-John Adams

President of the United States.

Trial lawyer

From: Paul Farrell
Sent: Wednesday, April 15, 2020 3:07 PM
To: 'John.Spiegel@mto.com' <John.Spiegel@mto.com>
Cc: Joe Rice <jrice@motleyrice.com>; Paul Hanly <phanly@simmonsfirm.com>
Subject: FW: Huntington-Cabell County - Plaintiffs' Request for Deposition of John Hammergren

Mr. Spiegel,

I serve as Co-Lead of MDL2804: In re National Prescription Opiate Litigation as well as trial counsel for the second bellwether pending in the United States District Court for the Southern District of West Virginia. We are seeking the deposition of Mr. Hammergren (see below) and have been directed to contact you. Please give me a call at your convenience.

Paul T. Farrell, Jr., Esq.
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email: paul@farrell.law

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President of the United States.
Trial lawyer

From: Rice, Dale <drice@cov.com>
Sent: Tuesday, April 14, 2020 1:17 PM
To: Paul Farrell <paul@farrell.law>
Cc: Track2OpioidDefendants (Track2OpioidDefendants@reedsmith.com)
<Track2OpioidDefendants@reedsmith.com>; ct2_opioid_team@mail-list.com; Kearsse, Anne
<akearse@motleyrice.com>; bbogle@levinlaw.com
Subject: Huntington-Cabell County - Plaintiffs' Request for Deposition of John Hammergren

Paul,

We write on behalf of McKesson in connection with Plaintiffs' request to depose John Hammergren, the former CEO of McKesson Corporation. McKesson does not believe that Plaintiffs have a basis for deposing Mr. Hammergren. If Plaintiffs nonetheless intend to seek Mr. Hammergren's testimony, you will need to contact counsel for Mr. Hammergren:

John W. Spiegel
Munger, Tolles & Olson LLP
350 South Grand Avenue, 50th Floor
Los Angeles, CA 90071
Telephone: 213 683 9152
Email: John.Spiegel@mto.com

Best regards,

Dale

From: Paul Farrell <paul@farrell.law>
Sent: Thursday, April 09, 2020 2:56 PM
To: Nicholas, Robert A. <RNicholas@reedsmith.com>
Cc: zz-Track 2 Opioid Defendants (S) <Track2OpioidDefendants@reedsmith.com>;
ct2_opioid_team@mail-list.com; Kears, Anne <akearse@motleyrice.com>
Subject: Re: CT2: Depositions of Collis, Hammergren and Barrett

[EXTERNAL]
EXTERNAL E-MAIL - From paul@farrell.law

Bob,

Thanks for the email. I see the testimony different from the document production. I realize the Big3 will continue to oppose apex depositions. We need to address the issue eventually. Do you have any recommendations on how to proceed?

The "easy out" is to promise to bring them live to the bench trial.

Paul T. Farrell, Jr., Esq.

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President of the United States.
Trial lawyer.

On Apr 9, 2020, at 5:17 PM, Nicholas, Robert A. <RNicholas@reedsmith.com> wrote:

Paul,

We are receiving mixed signals from your side. Yesterday we had a meet and confer with Baron and Budd about whether the parties could explore a compromise regarding the production of limited portions of Steve Collis' custodial file. We have a follow up call scheduled with them for next Tuesday. We do not believe there is any basis for requiring Mr. Collis' deposition and certainly a motion to compel at this stage would be premature. I believe McKesson and Cardinal feel the same way.

Bob

From: Paul Farrell <paul@farrell.law>
Sent: Thursday, April 9, 2020 12:52 PM
To: zz-Track 2 Opioid Defendants (S) <Track2OpioidDefendants@ReedSmith.com>
Cc: ct2_opioid_team@mail-list.com; Kearsse, Anne <akearse@motleyrice.com>
Subject: RE: CT2: Depositions of Collis, Hammergren and Barrett

EXTERNAL E-MAIL - From paul@farrell.law

Dear Big3,

Having received no response, we declare an impasse and will file a motion to compel.

Paul T. Farrell, Jr., Esq.
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email: paul@farrell.law

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-John Adams
President of the United States.
Trial lawyer

From: Paul Farrell
Sent: Monday, March 30, 2020 10:12 PM
To: 'Track2OpioidDefendants@reedsmith.com'
<Track2OpioidDefendants@reedsmith.com>
Cc: 'ct2_opioid_team@mail-list.com' <ct2_opioid_team@mail-list.com>; Kearsse, Anne
<akearse@motleyrice.com>
Subject: CT2: Depositions of Collis, Hammergren and Barrett

Dear Counsel,

Please provide deposition dates for the following individuals:

Mr. Steven Collis, President and CEO
AmerisourceBergen Corporation

Mr. John Hammergren, Chairman, President and CEO
McKesson Corporation

Mr. George Barrett, Executive Chairman of the Board
Cardinal Health Inc.

The subject matter includes each of their prior testimony (oral and written responses) before the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce of the United States House of Representatives arising out of the hearing *COMBATING THE OPIOID EPIDEMIC: Examining Concerns About Distribution And Diversion* held on MAY 8, 2018. See *In re C. R. Bard, Inc. Pelvic Repair Sys. Prod.*

Liab. Litig., No. MDL 2187, 2014 WL 12703776, at *4 (S.D.W. Va. June 30, 2014) (“The prerequisites to an apex deposition are simple. The executive must have unique personal knowledge of relevant facts, and the information known to the executive must not be obtainable by an easier, less intrusive method of discovery than taking his or her deposition.”).

We will agree to forego a discovery deposition in exchange for a written stipulation that each witness will appear live during the bench trial currently scheduled for August 31, 2020.

Paul T. Farrell, Jr., Esq.

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Trial lawyer

* * *

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